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**BRYAN CAVE LLP**

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Attorneys for Plaintiff  
RAYMOND S. SAUNDERS

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

RAYMOND SAMUEL SAUNDERS

Plaintiff,

v.

THE CITY AND COUNTY OF SAN  
FRANCISCO SHERIFF'S DEPARTMENT;  
THE CITY OF SAN FRANCISCO, a public  
entity; and CITY AND COUNTY OF SAN  
FRANCISCO SHERIFF'S DEPUTY MARIO  
GARAY,

Defendants.

Case No. 3:11-cv-06322 WHO

**PLAINTIFF'S NOTICE OF FILING  
DECLARATION OF RAYMOND  
SAUNDERS IN SUPPORT OF  
OPPOSITION TO DEFENDANTS'  
MOTION TO DISMISS**

Date: August 20, 2014  
Time: 2:00 pm  
Place: Courtroom 2- 17<sup>th</sup> Floor

Trial Date: April 27, 2015

**TO DEFENDANTS AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that Plaintiff Raymond Saunders respectfully submits the attached declaration in support of his opposition to the defendants' motion to dismiss. While Plaintiff believes that a supporting declaration is unnecessary, Plaintiff offers the attached declaration in support of his Opposition to the Defendants' Motion to Dismiss the First Amended Complaint. The declaration confirms the representations made by Plaintiff's counsel regarding the failure to assert certain claims in Plaintiff's original Complaint.

The declaration of Raymond Saunders is attached to this notice as Exhibit 1. Mr. Saunders' previous letter to the Court requesting the appointment of counsel appears in this case as docket entry 17 and is attached for the Court's convenience as Exhibit A to the declaration.

Dated: August 13, 2014

**BRYAN CAVE LLP**

By:     /s/ Jessica E. Mar      
 Jessica E. Mar  
 Attorneys for Plaintiff  
 RAYMOND S. SAUNDERS

BRYAN CAVE LLP  
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 SAN FRANCISCO, CA 94105

# EXHIBIT 1

**BRYAN CAVE LLP**

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Attorneys for Plaintiff  
RAYMOND S. SAUNDERS

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

RAYMOND SAMUEL SAUNDERS

Plaintiff,

v.

THE CITY AND COUNTY OF SAN  
FRANCISCO SHERIFF'S  
DEPARTMENT; THE CITY OF SAN  
FRANCISCO, a public entity; and CITY  
AND COUNTY OF SAN FRANCISCO  
SHERIFF'S DEPUTY MARIO GARAY,

Defendants.

Case No. 3:11-cv-06322 WHO

**DECLARATION OF RAYMOND  
SAUNDERS IN SUPPORT OF  
OPPOSITION TO DEFENDANTS'  
MOTION TO DISMISS  
PLAINTIFF'S STATE LAW CLAIMS**

Date: August 20, 2014  
Time: 2:00 pm  
Place: Courtroom 2- 17<sup>th</sup> Floor

Trial Date: April 27, 2015

BRYAN CAVE LLP  
560 MISSION STREET, 25TH FLOOR  
SAN FRANCISCO, CA 94105-2994

## DECLARATION OF RAYMOND SAUNDERS

I, Raymond Saunders, declare as follows:

1. From October 28, 2011 to April 17, 2014, I was proceeding as a pro se litigant without legal training, consultation with counsel, or access to legal advice in this matter.

2. I wrote a letter to the court dated May 23, 2013 requesting appointment of counsel. In my letter I explained that in the months prior to my request, support from Prisoner Legal Services at San Francisco County Jail #4, where I was held, had dwindled significantly in capacity and that I was unable to get adequate assistance. My letter to the court appears as docket entry 17 for this case. A copy of my letter is attached to this declaration as Exhibit A for the court's convenience.

3. I was appointed counsel by this court on April 17, 2014.

4. The distinctions between my state and federal claims were unknown to me. I proceeded to the best of my ability as a pro se litigant.

5. I had no intention to waive my state law claims. Failure to raise my state law claims was inadvertent and unintentional. I did not fail to raise my state law claims as a strategic litigation choice or in any attempt to prejudice the defendants.

6. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 13<sup>th</sup> day of August, 2014, at SAN BRUNO, California.

  
Raymond Saunders

EXHIBIT A

JUN - 7 2013

TO THE HONORABLE JUDGE,

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

5.23.13

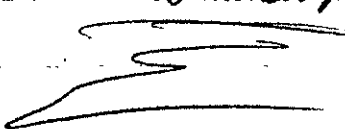
GREETINGS YOUR HONOR, I hope  
your having a great day. I'm writing to  
you in regards to my case B-11-6322 EHC.  
I HAVE A COURT DATE ON JUNE 20th, 2013.  
And this case has been going on for two (2)  
years now, without my having any representa-  
tion. I want to know if you could assign/  
appoint someone to represent me during  
this case. I apologize for just now  
asking about this. But the P.L.S  
(PRISONER LEGAL SERVICE) that comes into  
the facility to help us out, has  
dwindled down to almost no help at  
at these past months. So if you could  
possibly help me with this situation, I'd  
be very grateful.

THANK YOU FOR YOUR TIME AND  
CONSIDERATION.

Sincerely,  
Raymond S.  
Sandberg

TO WHOM IT MAY CONCERN,

GREETINGS, my name is Raymon Samuel  
SAUNDERS. At this point and time I'm incarcerated  
in a SAN FRANCISCO COUNTY JAIL. And I'm fighting  
A CIVIL CASE AGAINST A SHERIFF'S DEPUTY. THE  
CASE # is CV-11-06322 EMC. I'm asking  
you if it's possible to find out whom the  
presiding judge is on my case. And if you  
would, please forward my letter to him/her.  
I truly appreciate your help. THANKS ALOT!

Raymond S.  
Saunders  




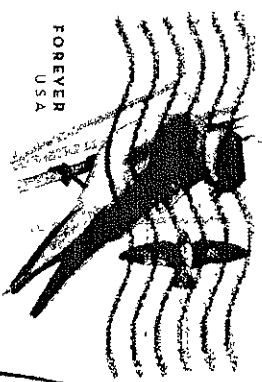
McRAYMOND S. BAUBER  
10681748 / #426501  
808 BRYANT STREET  
SAN FRANCISCO, CA. 94103

Received via  
Eureka 5/30/13

Thani

95502130506

SAN FRANCISCO CA 94103  
28 MAY 2013 PM 2 L



OFFICE OF THE CLERK, U.S. District Court

NORTHERN DISTRICT OF CALIFORNIA

P.O. BOX 1306

EUREKA, CALIFORNIA. 95502

